

CA20N
XL II
-1996
C172

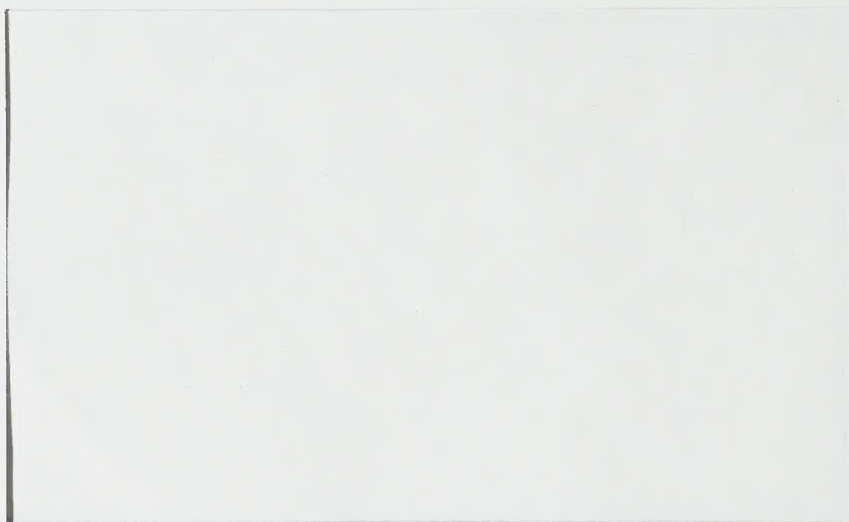
Government
Publications

THE CHANGING STRUCTURE OF
THE ONTARIO GOVERNMENT:
CONFEDERATION TO THE PRESENT

Current Issue Paper 172



**ONTARIO LEGISLATIVE LIBRARY
BIBLIOTHÈQUE DE L'ASSEMBLÉE
LÉGISLATIVE DE L'ONTARIO**



Ontario
Legislative
Library



Bibliothèque de
l'Assemblée législative
de l'Ontario

Legislative Research Service
Room 2520, Whitney Block
99 Wellesley Street West
Toronto, Ontario M7A 1A9

(416) 325-3675
(416) 325-3637
(416) 325-3696 Fax

Service de recherches
Bureau 2520, édifice Whitney
99, rue Wellesley ouest
Toronto (Ontario) M7A 1A9

(416) 325-3675
(416) 325-3637
téléc. : (416) 325-3696

ISSN 0835-0299

**THE CHANGING STRUCTURE OF
THE ONTARIO GOVERNMENT:
CONFEDERATION TO THE PRESENT**

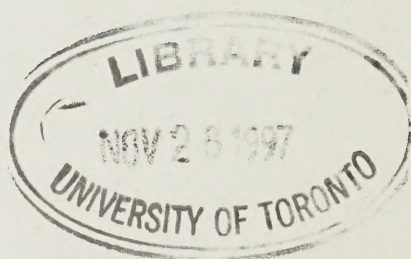
Current Issue Paper 172

Prepared By:

Ted Glenn
Research Officer
Legislative Research Service


May 1996

The Legislative Research Service is a branch of the Ontario Legislative Library which provides confidential non-partisan research analysis to Members of all parties of the Legislative Assembly and to legislative committees.



Contents

INTRODUCTION	1
THE LEGAL FOUNDATIONS OF THE ONTARIO GOVERNMENT	1
1867-1905: NEW CHALLENGES, NEW RESPONSES	2
1905-1944: EARLY REFORM EFFORTS	3
1944-1971: GROWTH AND EXPANSION	4
1972-85: THE COGP REFORMS	5
1985-1995: EXPERIMENTATION AND CONSOLIDATION	5
CONCLUSION	6
Figure One: Evolution of the Office of the Provincial Secretary and Registrar	9
Figure Two: Evolution of the Office of the Commissioner of Crown Lands	10
Figure Three: Evolution of the Office of the Attorney General	11
Figure Four: Evolution of the Commissioner of Agriculture and Public Works	12
Figure Five: Evolution of the Office of the Provincial Treasurer	13
Figure Six: Evolution of the Office of Education	14
Figure Seven: Evolution of Coordinating Offices	15
Figure Eight: The 1972 COGP Reforms	16
Figure Nine: Premiers of Ontario and Significant Events in Ontario History	17
NOTES	18



Digitized by the Internet Archive
in 2022 with funding from
University of Toronto

<https://archive.org/details/31761115501231>

INTRODUCTION

In 1867, the Government of Ontario was an assorted collection of officials and offices carried over from the government of the old United Province of Canada. Even the province's first Legislative Building, built in 1832 on Toronto's Front Street, was a leftover of an era gone by. After almost a century and a half, the Government of Ontario has certainly changed. With 82,000 employees spread across 20 ministries and an annual budget in excess of \$50 billion, it is now the largest provincial government in Canada.

This Current Issue Paper examines how the administrative structure of the Government of Ontario has evolved since Confederation. With the aid of the flowcharts contained in Figures One through Eight, the Paper illustrates how the original administrative units of the provincial government have expanded, contracted and multiplied over the course of the past 129 years. The text of this Paper explains some of the major factors which have caused the structure and organization of government in Ontario to change.

THE LEGAL FOUNDATIONS OF THE ONTARIO GOVERNMENT

On July 1, 1867, the old United Province of Canada was displaced by the new Dominion of Canada, composed originally of Ontario, Quebec, Nova Scotia and New Brunswick. Union posed few administrative difficulties for the Maritime provinces:¹ the machinery of government which had existed prior to 1867 simply became the administrative basis for the new provincial governments. The cases of Ontario and Quebec were significantly different: the administrative institutions used from 1841 to 1867 in the United Province had to be divided between Ottawa, Toronto and Quebec City according to the terms of the *British North America Act* (1867). Some administrative machinery was transferred to the new governments *in toto*. For example, the Upper and Lower Canadian branches of the old Education Office were simply transferred to Toronto and Quebec City respectively because of the province's jurisdiction over education under the *BNA Act*. In other cases, the task of creating the administrative foundations for the new governments was far more complex.

According to the *BNA Act*, the provinces were granted sole jurisdiction over the following areas:

- ▶ Direct taxation;
- ▶ The management and sale of public lands;
- ▶ The establishment, maintenance and management of public and reformatory prisons;
- ▶ The establishment, maintenance and management of hospitals, asylums and charitable institutions;
- ▶ Municipalities;
- ▶ Shop, saloon, tavern auctioneer and other regulatory licensing;
- ▶ Local works and undertakings;
- ▶ The incorporation of companies;
- ▶ The solemnization of marriage;
- ▶ Property and civil rights;
- ▶ The administration of justice;
- ▶ Generally all matters of a merely local or private nature.

Because Union required the administrative structure of the old United Province to be reconstituted and reorganized to conform to this new distribution of responsibilities, the Fathers of Confederation decided to set out the administrative basis for government in Ontario and Quebec in a clear and non-disputable fashion.² To this end, Section 63 of the *BNA Act* required that the Executive Councils of Ontario and Quebec be composed of a Provincial Secretary and Registrar, a Commissioner of Crown Lands, an Attorney General, a Commissioner of Agriculture and Public Works and a Provincial Treasurer. This organizational design followed the United Province practice of separating the basic functions of law and order, administration, finance and resource development into separate administrative units.³

Of the five members of the Executive Council enumerated in Section 63, only the Commissioners' Offices had administrative predecessors which could be transferred directly from the old United Province government. The Offices for the Attorney General, the Provincial Treasurer and the Provincial Secretary and Registrar had to be created from the ground up.

1867-1905: NEW CHALLENGES, NEW RESPONSES

The first challenge presented to the new Government of Ontario was actually posed by the terms of Union themselves. Even though Section 93 of the *BNA Act* gave the provinces jurisdiction over education, Section 63 did not provide for any direct executive control over this area. It was assumed that public school administration would

simply continue as it had operated in Upper Canada - that is, under regulations made by a government-appointed Council of Public Instruction and carried out by a Superintendent.⁴ In 1868, this arrangement came under severe scrutiny after it was revealed that the entire education system was financed according to a system of personal accountable warrants, a practice whereby the total appropriations for education were deposited in the personal account of the Superintendent (then Egerton Ryerson) and dispersed at his discretion.⁵ After eight years of protracted debate, Premier Mowat established the Department of Education in 1876, with both a minister responsible to the legislature for decisions affecting education policy in the province and a deputy minister responsible to the minister for the day-to-day operations of the Department.

Aside from education, a number of social and economic problems associated with industrialization posed challenges to the new provincial government as well. One of these lay in the nature of information. As the base of Ontario's economy changed from agriculture to industrial production in the latter half of the nineteenth century, the government needed to collect and analyze new and different types of information so as to make informed public policy about the economy. To this end, the Bureaus of Industries (1882), Mines (1891) and Labour (1900) were created.

The rapid growth and urbanization of Ontario's population in the latter part of the nineteenth century also caused a number of social problems. The Government of Ontario dealt with these problems by establishing a variety of Boards and Offices to supervise and regulate what was then a largely private charitable system of social welfare. Some of the bodies created at this time were the Office of Prisoners and Charities (1868), the Provincial Board of Health (1882), the Office of the Superintendent of Neglected Children (1893), and the Bureau of Colonization (1900).

1905-1944: EARLY REFORM EFFORTS

The twentieth century was ushered in by James Whitney and the Conservative Party's dramatic sweep to power in 1905 - the Conservative's first time in office since 1871. The government apparatus Whitney inherited, as illustrated in Figures One through Six, was a collection of various Offices, Bureaus and Boards which had grown up in response to specific issues and problems during the Liberal Party's 34 year reign. To Whitney, and his Conservative successors (Hearst, Ferguson and Henry), these additions to the basic administrative structure of the provincial government signalled a larger

change in the very nature of governance in Ontario: the supervisory and regulatory functions performed by government in the nineteenth century were no longer sufficient to satisfy demands for a public service which could perform a more direct and operative role in the province's affairs. Whitney and subsequent Conservative administrations began to recast the provincial government to perform such a role by assigning major functions performed by the government to separate departments. Some of the departments added to the government roster as a result of this process were: Public Works (1905); Prime Minister (1905); Lands, Forests and Mines (1906); Public Highways (1915); Labour (1919); Mines (1920); Provincial Secretary (1924); Health (1924); Northern Development (1926); and Public Welfare (1931).

Even though changes to the organization and structure of government in Ontario slowed down considerably during the Liberals' decade in power (1934-1943, when only the Department of Municipal Affairs was created), a number of social policy initiatives re-affirmed the general direction of government reform initiated by Whitney in 1905: during the Liberals' tenure, the province assumed municipalities' contributions to the federal Old Age Pension and Mothers' Allowances plans as well as to the federal Pensions for the Blind.

1944-1971: GROWTH AND EXPANSION

As Figures One through Six show, nearly twenty new Departments were created between the Conservative's return to power in 1943 and Bill Davis' assumption of office in 1971. Most of the Departments created in this post-war period were designed to address new and increasingly complex policy priorities. In this respect, the period of growth between 1944 and 1971 resembled that which occurred between 1867 and 1904.

Some of the Departments created in the post-war period to address new policy areas included: Planning and Development (1944); Travel and Publicity (1946); Reform Institutions (1946); Economics and Development (1961); Financial and Commercial Affairs (1966); Revenue (1968); University Affairs (1968); and Environment (1971).

The increase in the number of departments in this period was also reflected in the size of the public service, which grew from 9,785 employees (full- and part-time) in 1944 to 65,018 in 1971.

1972-85: THE COGP REFORMS

In 1969, the Conservative government embarked upon the most ambitious public administration reform initiative in Ontario history. Before John Robarts left office, he established the Committee on Government Productivity (COGP) to "inquire into all matters pertaining to the management of the Government of Ontario and to make such recommendations as in its opinion will improve the efficiency and the effectiveness of the Government of Ontario."⁶ The Committee, which was chaired by John Cronyn and composed of six senior bureaucrats and four businessmen, was struck in response to wide-spread calls for a complete review of management practices in the Ontario government.⁷

Over the course of three years - and ten reports - the COGP recommended nothing less than "the most comprehensive restructuring of Government in this country."⁸ As illustrated in Figure Eight, not only were 18 new ministries created out of 22 former departments, but the new ministries were the product of fundamental programme rationalization - not just superficial changes to departmental nomenclature. The COGP also triggered a new system of Cabinet decision-making where Ministers of individual departments made policy and financial decisions in one of four policy fields of Cabinet: social development, resources development, justice and government operations. Each of these policy fields was chaired by a Provincial Secretary whose responsibility was to coordinate and integrate policy decisions and convey those decisions to the Policy and Priorities Board of Cabinet, the so-called "inner Cabinet" chaired by the Premier.

Aside from some minor adjustments, like the resuscitation of the Northern Affairs ministry in 1977 and the separation of Intergovernmental Affairs in 1978, the COGP configuration remained largely intact until 1985 when the Liberals returned to power. What did not remain the same was the number of agencies, boards and commissions created to advise the government on matters of public policy or regulate and provide goods and services on behalf of the government. In 1972, the COGP estimated there were about 250 ABCs in existence. By 1985, that number had grown to 536.⁹ The total number of ABCs today is slightly more than 700.¹⁰

1985-1995: EXPERIMENTATION AND CONSOLODATION

The most significant administrative changes introduced by the Liberals in the period from 1985 to 1990 related to the coordination of social policy in the province. Long a target of criticism, the Provincial

Secretary system of policy coordination created by the COGP was replaced with new administrative Offices designed to coordinate programmes and policies across existing government ministries. As Figure Seven indicates, even though horizontal coordinating agencies had been used prior to 1985 (the Office of the Coordinator of Bilingualism, for example, was created in 1968), the Liberal governments relied upon them heavily to coordinate government policy *vis-a-vis* particular social groups. Aside from renaming and upgrading the Office of the Coordinator of Bilingualism to the Office of Francophone Affairs in 1985, the Liberals created the Office for Disabled Persons and the Office for Senior Citizen's Affairs in the same year as well.

The most significant changes made to the Government of Ontario since the COGP reforms occurred in 1993. Prompted by a growing debt and the worst recession since the 1930s, the New Democratic Party set out to rationalize and consolidate the Government of Ontario in an effort to achieve fiscal savings. As Figures One through Six show, the Ministries of Treasury and Economics, Financial Institutions and Revenue were amalgamated into a new Ministry of Finance; the Ministries of Education, Colleges and Universities, and Skills Development were amalgamated into a new Ministry of Education and Training; the Ministries of Environment and Energy were combined; the Ministry of Culture and Communications lost Communications to a new Ministry of Economic Development and Trade while picking up Tourism and Recreation; and the Ministry of Government Services was merged into Management Board.¹¹ These changes reduced the overall number of ministries from 28 to 20.

When the Conservatives assumed power in the summer of 1995, Premier Harris introduced further changes to the structure of government set in place by the NDP two years earlier: the Ministries of Municipal Affairs and Housing were brought together once again; Tourism was extracted from the Ministry of Culture, Tourism and Recreation and moved to the Ministry of Economic Development and Trade; and the remaining Culture and Recreation units were merged with Citizenship to form a new Ministry of Citizenship, Culture and Recreation.

CONCLUSION

Over the course of its 129-year history, the Government of Ontario has evolved in response to a variety of factors. Among the most important were the increasingly complex social and economic circumstances and the changing role of the state in relation to them. For example,

confronted with fundamental changes to the province's economy and social composition in the late nineteenth century, a variety of bureaus, boards and offices were added to the five original administrative Offices established in 1867. Similarly, new departments were created in the post-war period to manage emergent areas of public policy, including post-secondary education, tourism, economic development, consumer and commercial relations and the environment. The growing complexity of the administrative organization of government itself prompted the largest reform initiative in Ontario's history in 1972.

Equally important factors which contributed to the evolution of the Government of Ontario were political beliefs about the nature and purpose of government in the province. The reform process initiated by Whitney in 1905, for instance, was guided by the belief that the Government of Ontario should take a more direct and operative role in provincial affairs. To achieve this end, Whitney and his Conservative successors began to reorganize the provincial government according to major functions performed and assign responsibility for these functions to separate departments.

Administrative reforms in the last decade provide further evidence of the effect of political beliefs upon the organization of the Ontario government. Given the Liberals' 1985 campaign promises to improve social policy in the province, it is not surprising that the major reforms undertaken by the Liberals were directed to improving the administrative capacity of the government to deal with social policy. Nor is it surprising that the Harris Conservatives transferred the Tourism unit within the former Ministry of Culture, Tourism and Recreation to the Ministry of Economic Development and Trade, given the Conservatives' commitment to economic renewal in the 1995 election.

Perhaps the most important factor to influence the administrative organization of the Government of Ontario has yet to show its full effect: economics. Moved to action by the size of the government's debt and the worst recession since the 1930s, the NDP made the largest changes to the structure of the Ontario government since the 1972 COGP reforms, reducing the overall number of ministries from 28 to 20. Even more far-reaching reforms may be implemented by the Conservatives under Premier Harris in the future as it restructures the Government of Ontario to meet its fiscal goals.

MAPPING THE EVOLUTION OF THE GOVERNMENT OF ONTARIO

The following figures illustrate how the original Offices of the Ontario government have evolved over the past 129 years. These Offices were: the Provincial Secretary and Registrar, the Commissioner of Crown Lands, the Attorney General, the Commissioner of Agriculture and Public Works, the Provincial Treasurer (all of which were created in 1867) and the Department of Education (which was established in 1876).

In the following figures:

- ▶ Broken lines indicate the evolution of subordinate administrative units within existing autonomous units, while solid lines indicate the evolution of autonomous administrative units. For example, as illustrated in Figure One, the Provincial Board of Health was created in 1882 as an administrative unit within the Office of the Provincial Secretary and Registrar - the body then responsible for health policy in the province. In 1924, the Board became an autonomous administrative structure - the Department of Health;
- ▶ Units not linked by lines to units directly above them (such as the Provincial Board of Health and the Department of Health) indicate the creation of new autonomous structures;
- ▶ Autonomous units located directly beneath other autonomous units indicates a change in the name of the unit. For example, as illustrated in Figure One, the Provincial Secretary and Registrar was renamed the Department of the Provincial Secretary in 1924 and therefore is located directly beneath the solid box entitled Office of the Provincial Secretary and Registrar;
- ▶ All ministries in existence as of March 1996 are located at the bottom of the figures.

FIGURE ONE: EVOLUTION OF THE OFFICE OF THE PROVINCIAL SECRETARY AND REGISTRAR

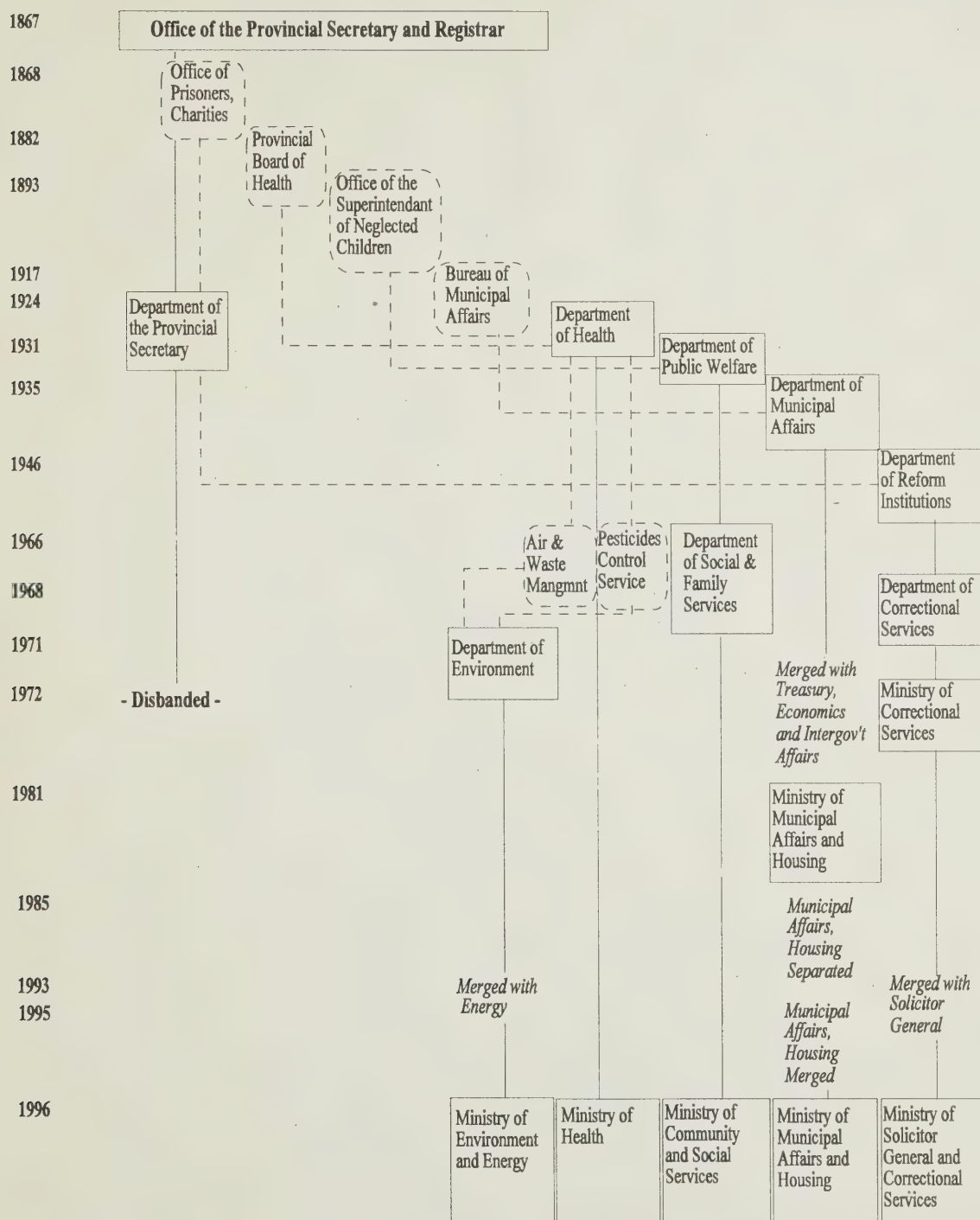


FIGURE TWO: EVOLUTION OF THE OFFICE OF THE COMMISSIONER OF CROWN LANDS

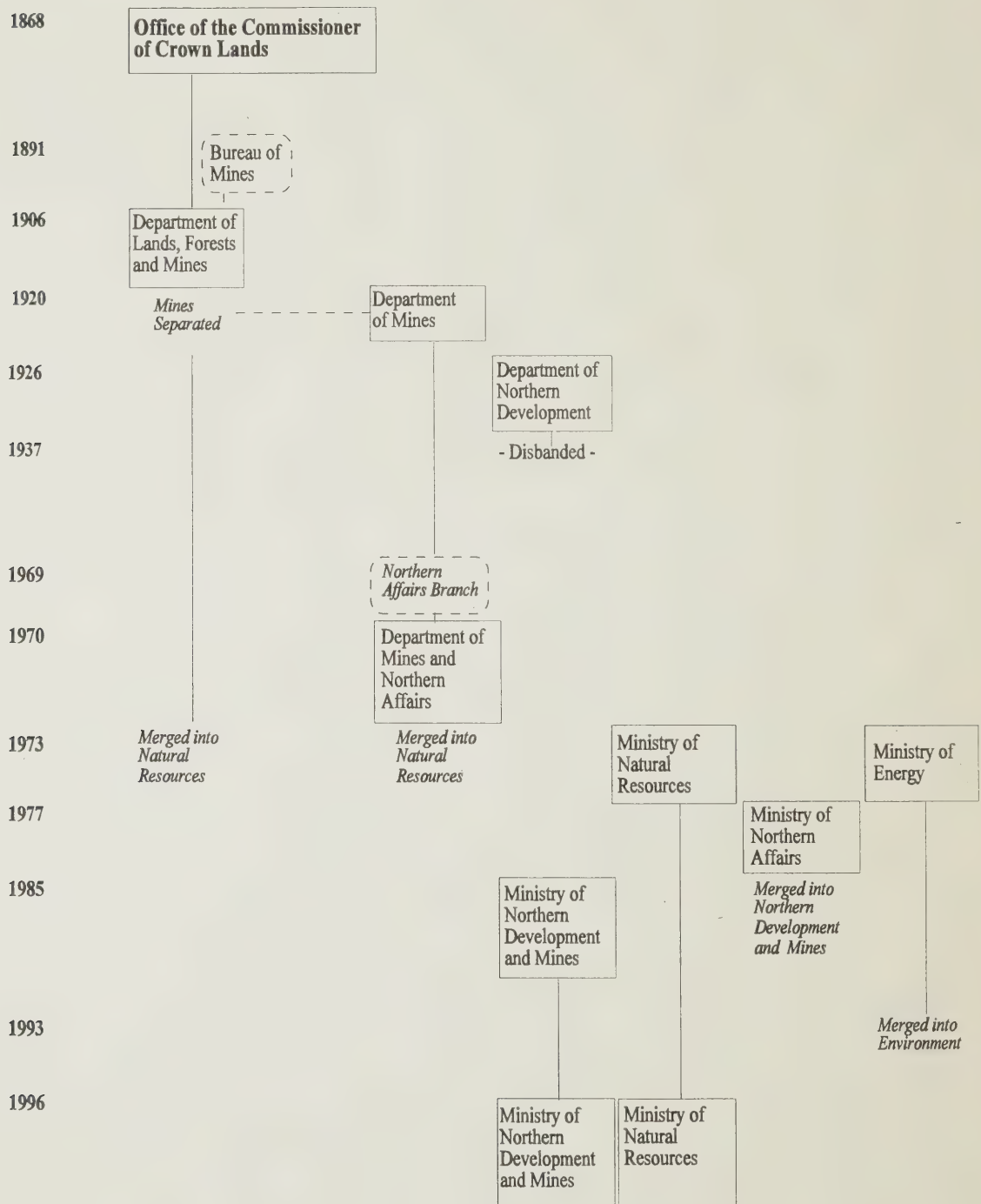


FIGURE THREE: EVOLUTION OF THE OFFICE OF THE ATTORNEY GENERAL

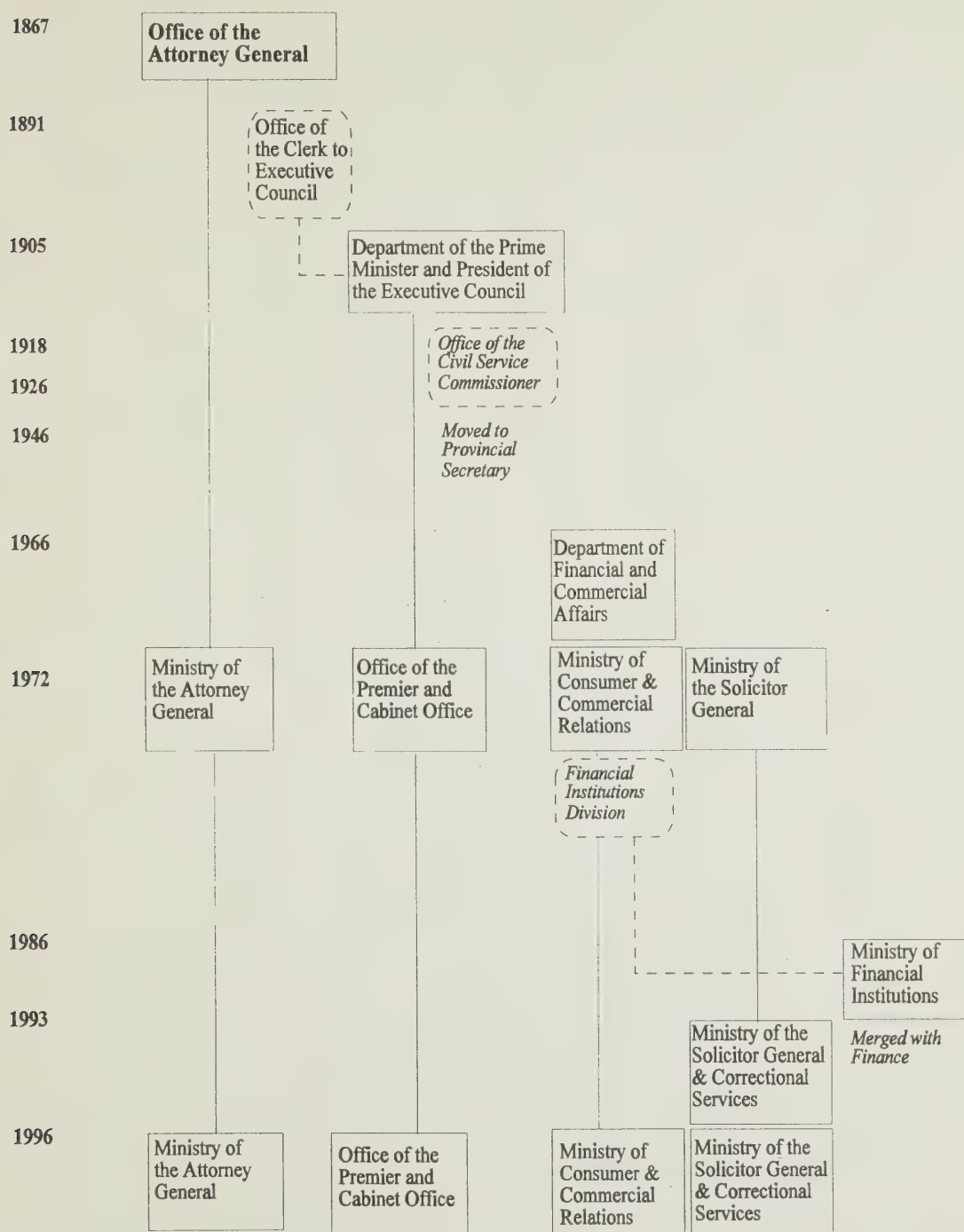
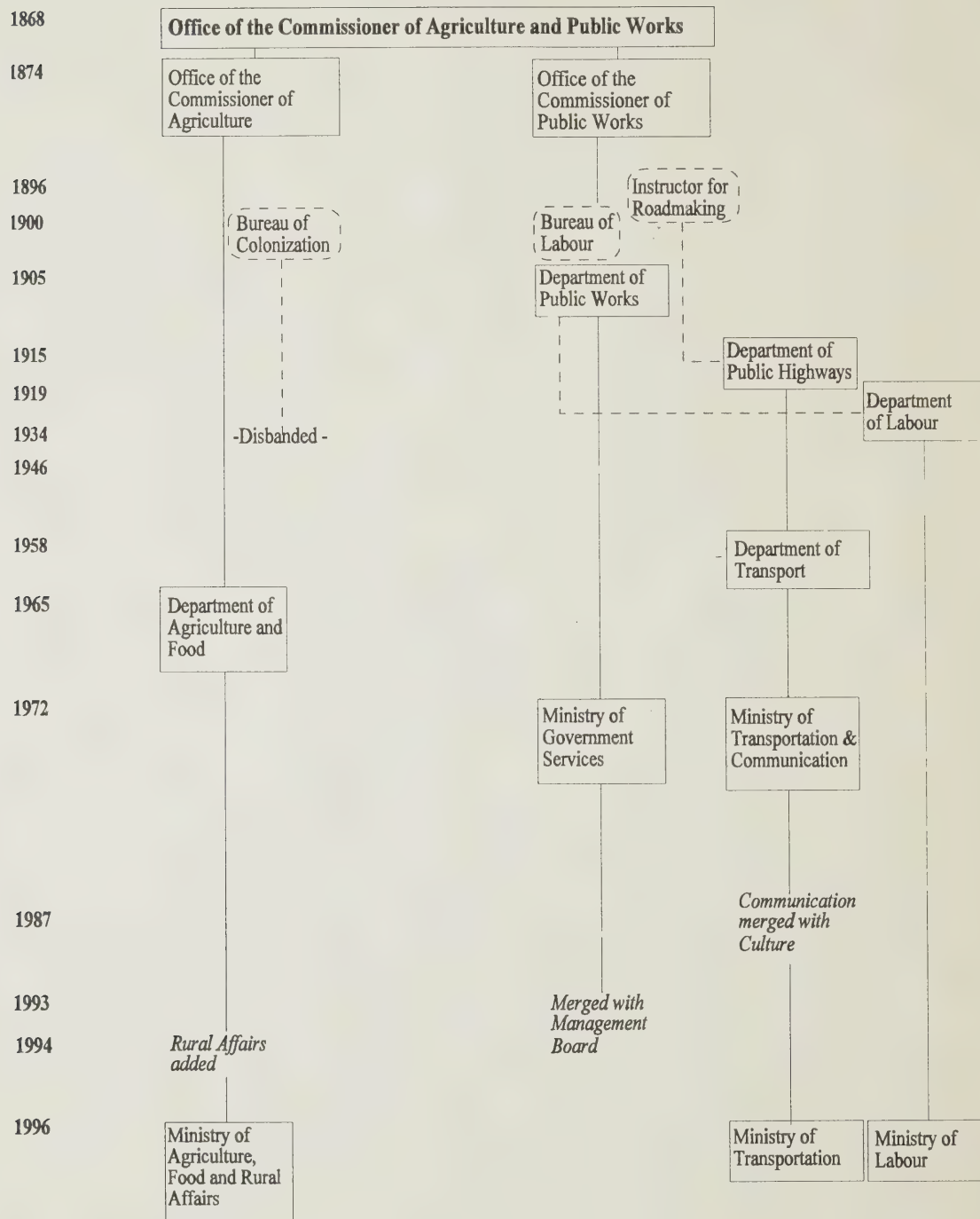
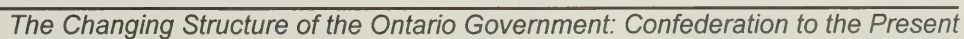


FIGURE FOUR: EVOLUTION OF THE COMMISSIONER OF AGRICULTURE AND PUBLIC WORKS





**FIGURE SIX: EVOLUTION OF THE
OFFICE OF EDUCATION**

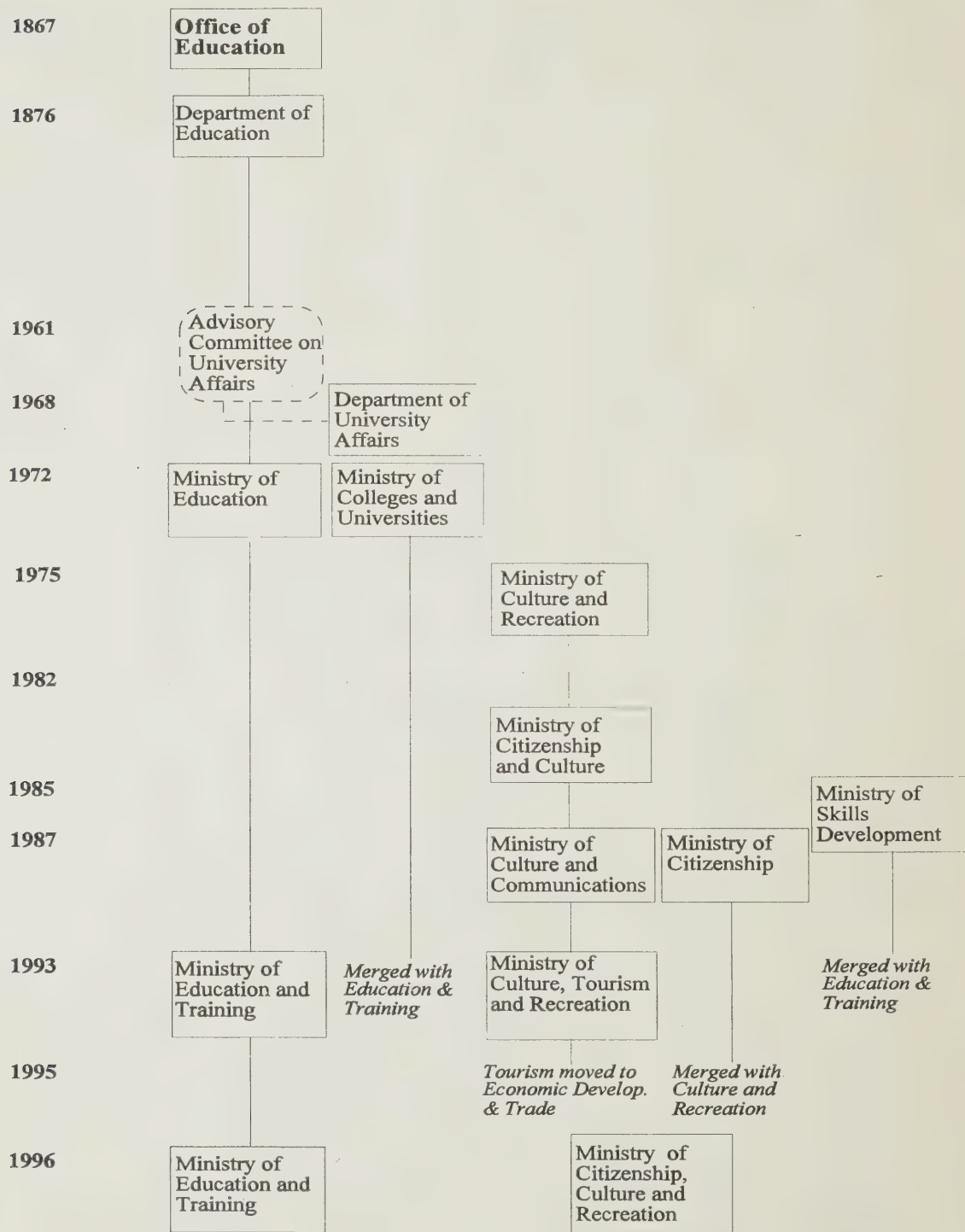


FIGURE SEVEN: EVOLUTION OF COORDINATING OFFICES

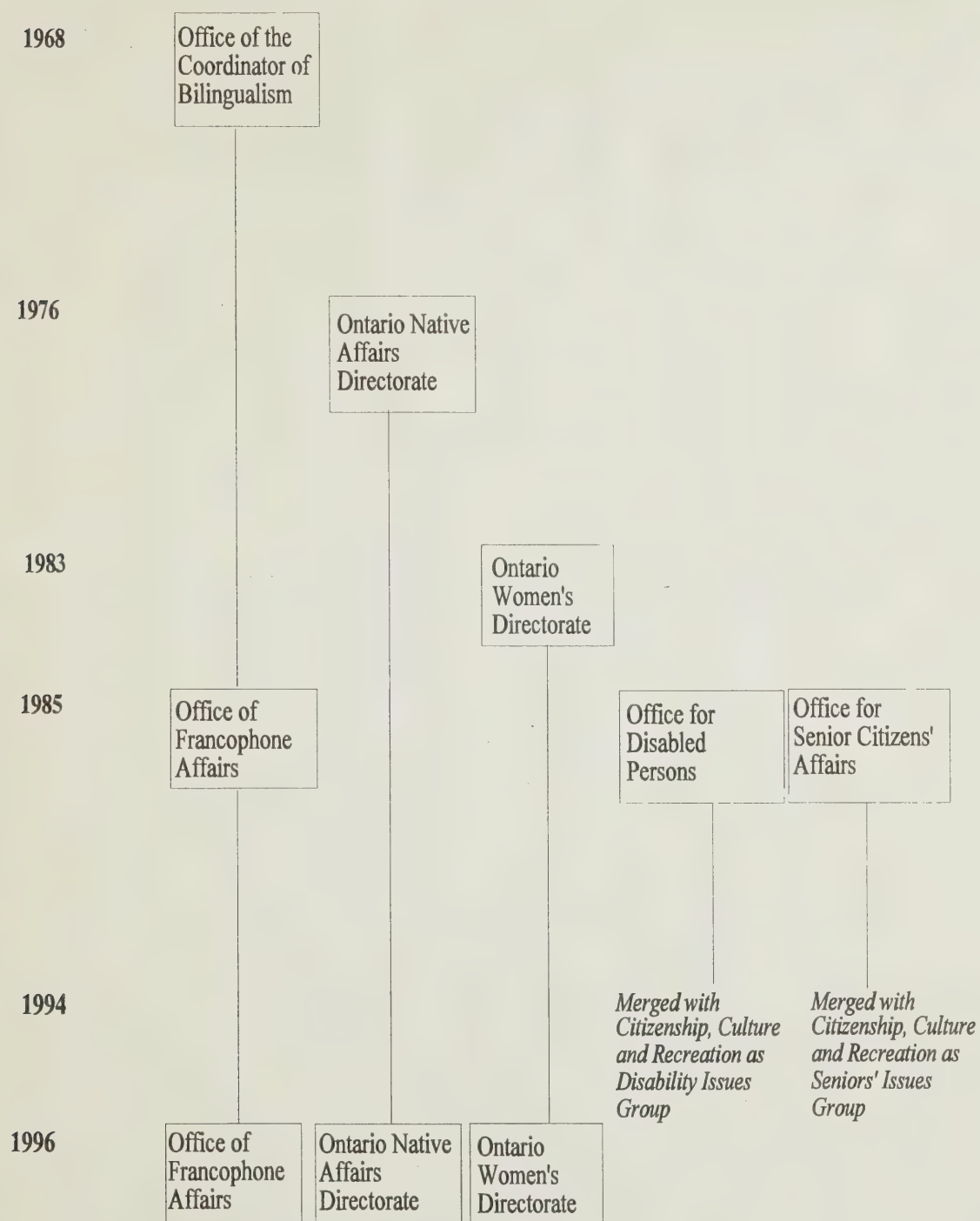


FIGURE EIGHT: THE 1972 COGP REFORMS

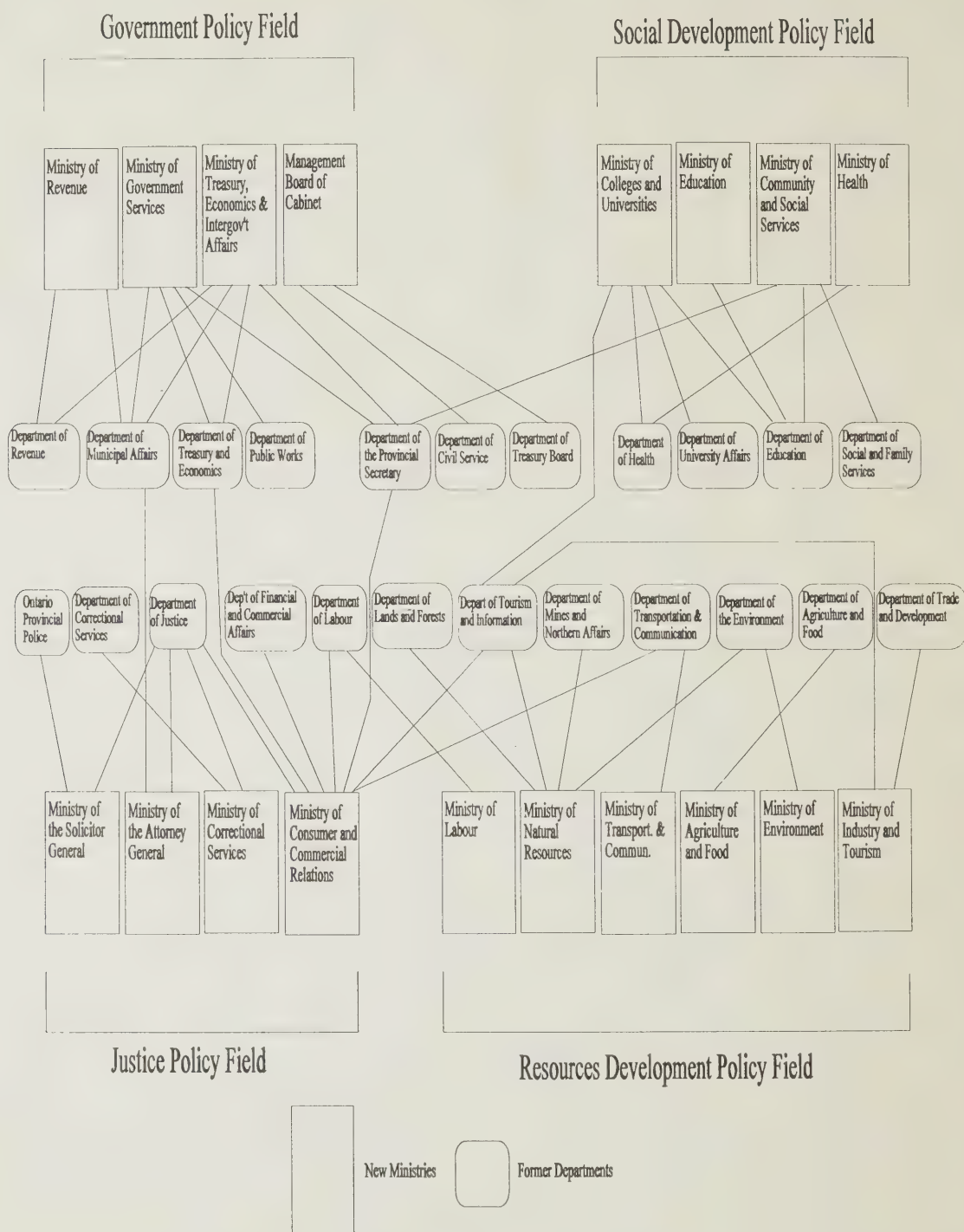


FIGURE NINE: PREMIERS OF ONTARIO* AND SIGNIFICANT EVENTS IN ONTARIO HISTORY

1867	John Sandfield Macdonald (CONS)		
1871	Edward Blake (LIB)	Northern boundary extended to include Keewatin	OPS=553
1872	Sir Oliver Mowat (LIB)		
1896	Arthur Hardy (LIB)	New Legislative Buildings opened	OPS=816
1899	George Ross (LIB)		
1905	James Whitney (CONS)		OPS=1,245
1914	William Hearst (CONS)	Workmen's Compensation Act	
1919	E.C. Drury (UFO)	Franchise extended to include women	OPS=3,850
1923	George Ferguson (CONS)		
1930	George Henry (CONS)	federal Old Age Pension Act passed	
1934	Mitchell Hepburn (LIB)		
1943	George Drew (CONS)	federal Rowell-Sirois Commission reported	OPS=9,785
1949	Leslie Frost (CONS)		
1961	John Robarts (CONS)	St. Lawrence Seaway completed	OPS=32,485
1971	William Davis (CONS)	Canada-US Autopact signed	OPS=65,018
1985	David Peterson (LIB)	CGOP Reforms	OPS=67,845
1990	Bob Rae (NDP)	Canada-US Free Trade Agreement	OPS=73,823
1995	Michael Harris (CONS)	Social Contract passed	OPS= 82,252

*Premiers Conant (1942-43), Nixon (1943), Kennedy (1948-49) and Miller (1985) are excluded from this list due to their short terms in office.

NOTES

1. Union, however, did pose a number of political problems for the Maritime provinces, especially for those who had opposed the idea at the Charlettetown and Québec Conferences. See, in general, P.B. Waite, *The Life and Times of Confederation* (Toronto: University of Toronto Press, 1962).
2. J.E. Hodgetts, *From Arm's Length to Hands-On: The Formative Years of Ontario's Public Service, 1867-1940* (Toronto: University of Toronto Press, 1995), pp. 44-48.
3. See, in general, J. E. Hodgetts, *Pioneer Public Service* (Toronto: University of Toronto Press, 1955).
4. Hodgetts, *From Arm's Length to Hands-On*, p. 50.
5. Ibid., p. 51.
6. Ontario, Committee on Government Productivity, *Interim Report Number One* (Toronto: The Committee, 1970), front matter.
7. On the context in which the COGP was struck, see, in general, James D. Fleck, "Restructuring the Ontario Government," *Canadian Public Administration* 16:1 (Spring 1973).
8. Quoted in *ibid.*, p. 61.
9. See, in general, Ontario, Public Appointments Secretariat, *Guide to Agencies, Boards and Commissions of the Government of Ontario* (Toronto: The Secretariat, various years).
10. Ibid.
11. The political and economic rationale for the NDP's 1993 reorganization is examined in greater length in Evert Lindquist and Graham White, "Streams, Springs and Stones: Ontario Public Service Reform in the 1980s and 1990s," *Canadian Public Administration* 37:2 (Summer 1994).

3 1761 11550123 1

